

November 23, 2009

Press Release

A group of Kentucky lawyers' has called on Governor Steve Beshear and Attorney General Jack Conway to declare a moratorium on executions in Kentucky while the American Bar Association (ABA) Death Penalty Assessment Team, comprised of twelve distinguished Kentucky legal experts, evaluates the use of death penalty in Kentucky. The ABA announced the appointment of the assessment team yesterday. The text of the request to the Governor and the Attorney General is attached, along with contact information for the signers.

Contact:

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November 23, 2009

Via FAX: (502) 564-2517

The Honorable Steve Beshear
Governor of Kentucky
700 Capitol Avenue, Suite 100
Frankfort, Kentucky 40601

Dear Governor Beshear:

The American Bar Association (ABA) has announced the appointment of a blue ribbon assessment team comprised of distinguished Kentucky legal experts to independently evaluate the use of the death penalty in Kentucky. In our capacity as members of the bar, we respectfully request that you declare a moratorium on executions in Kentucky while the ABA assessment team is doing its work.

A moratorium would not cause a disruption of Kentucky's recent decades of administration of justice. Since 1957, there have been only 4 executions in Kentucky and 2 of those involved people who refused to pursue their appeals. Given Kentucky's limited use of the death penalty and concerns over the costs and administrative issues, a well defined moratorium would be consistent with that history, with public policy and public opinion.

This effort to independently evaluate death penalty usage in Kentucky also has legislative precedent. In 2002, the Kentucky House of Representatives voted 97-0 to evaluate the death penalty usage in Kentucky, although the bill did not emerge from the Senate Judiciary Committee. The ABA assessment team is the functional equivalent of the idea endorsed without dissent by the Kentucky House of Representatives.

The group assembled by the ABA will inspire the confidence of the public in its expertise and fairness. Two retired Kentucky Supreme Court Justices, the former director of the Legislative Research Commission and Administrative Office of the Courts, an incumbent Commonwealth Attorney, a former legislator, distinguished law professors and bar leaders make up the team. The assessment team will be supported by ABA staff lawyers and other legal support personnel. Usually, ABA death penalty assessment projects (six states have been assessed since 2004) take about 24 months. The examination entails a comparison of a state's laws and practices on the death penalty to a series of ABA protocols that seek to improve fairness and accuracy of capital punishment.

Thank you for considering this request. We will be glad to meet with you or answer any further questions you may have.

Sincerely,

T. Kennedy Helm III, Ernie Lewis, Jason M. Nemes, William G. Deatherage Jr., John R. Rhorer, Jr. Thomas M. Williams, Janet P. Jakubowicz, Robert F. Houlihan, Jr., Robert L. Elliott, William H. Fortune, Stephanie Hawkins Smith, Peter H. Wayne, IV.

(contact information for each signer is attached)

November 23, 2009

Via FAX: (502) 564-2894

The Honorable Jack Conway
Attorney General of Kentucky
Capitol Suite 118
700 Capitol Avenue
Frankfort, Kentucky 40601-3449

Dear General Conway:

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Contact Information for Signers of Letter Requesting Moratorium on Executions

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